

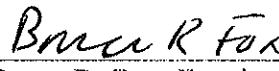
COMMONWEALTH OF MASSACHUSETTS DISTRICT COURT
UNITED STATES DISTRICT COURT CIVIL ACTION NO.: 04 CV 10632 MEL

MARY B. SMITH,)
Plaintiff)
)
vs.)
)
DAVID C. NICHOLSON, TRUSTEE)
OF THE D.J.J. REALTY TRUST,)
DOMINIC M. SAWICKI,)
TRUSTEE OF THE DOMINIC M.)
SAWICKI NOMINEE TRUST,)
AND CAROL ANN WHITNEY)
AND GLENN WHITNEY,)
Defendants)

STIPULATION OF DISMISSAL

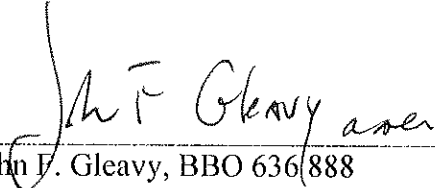
The parties in the above-entitled action, pursuant to the provisions of Federal Rules of Civil Procedure 41 (a) (1) (ii) hereby stipulate that said action be dismissed with prejudice and without costs, as to all claims, cross claims, third party claims and counterclaims.


Alfred J. Smith, Esquire BBO # 467 700
Attorney for plaintiff
706 Bedford Street
Stamford, CT 06901
(203) 359-3200


Bruce R. Fox, Esquire BBO # 176 320 *mm*
Attorney for Carol Ann Whitney and
Glenn Whitney
Law Offices of Bruce R. Fox
27 B Midstate Office Park
Auburn, MA 01501
(866) 290-7435



Robert A. Curley, Jr., Esquire BBO 109 180
Attorney for Dominic M. Sawicki, Trustee
and Domenic M. Sawicki Nominee Trsut
Curley & Curley
27 School Street
Boston, MA 02108
(617) 523-2990



John F. Gleavy, BBO 636/888
Lynch & Lynch
Attorney for David C. Nicholson
45 Bristol Drive
South Easton, MA 02375
(508) 230-2500